

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUL 18 AM 9:49

UNITED STATES OF AMERICA,

Plaintiff,

v.

Alejandro VILLELA-Cabrera,

Defendant

Magistrate Docket No.

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

'08 MJ2193


The undersigned complainant, being duly sworn, states:

On or about **July 17, 2008** within the Southern District of California, defendant, **Alejandro VILLELA-Cabrera**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th DAY OF JULY, 2008


Cathy A. Bencivengo
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**Alejandro VILLELA-Cabrera****PROBABLE CAUSE STATEMENT**

Agents assigned to the San Diego Sector, Smuggling Interdiction Group, Criminal Alien Squad (SIG/CAS) utilize various sources to locate and arrest previously deported criminal aliens who have returned to the United States. Through record checks, SIG Agents discovered that defendant **Alejandro VILLELA-Cabrera**, a previously deported criminal alien, was possibly residing in the 3500 block of Highland Avenue in San Diego, California.

On July 17, 2008, SIG/CAS Agents were conducting surveillance in the 3500 block of Highland Avenue. At approximately 7:55 a.m., SIG Agents E. Blas and A. Cacho observed a male individual matching the description and likeness of the defendant, walking out of the residence. Agents Blas and Cacho approached the defendant and identified themselves as United States Border Patrol Agents. Both agents questioned the defendant as to his identity and his immigration status. The defendant stated that he was in fact **Alejandro VILLELA-Cabrera**. Agents asked the defendant about his citizenship and nationality. The defendant stated that he was born in Mexico. Agents questioned the defendant if he had any immigration documents that would allow him to enter or remain in the United States legally. The defendant stated that he did not. At approximately 8:00 a.m., the defendant was arrested and transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **June 12, 2008** through **Nogales, Arizona**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.